

REMARKS

Claim 1 has been amended. New Claims 2 through 6 have been added by this Amendment. Claims 1 through 6 remain active in this Application.

Claim 1 has been amended to more specifically define the subject matter of the invention, specifically; a gear housing that incorporates a continuously variable float and preload bearing adjustment system for a protruding drive shaft and that also has an integral seal carrier for the drive shaft. Dependent Claims 2 and 3 have been added to more specifically claim the float and preload feature of the invention set forth in Claim 1. Claim 4 has been added to specifically claim the continuously variable float and preload bearing adjustment system with integral seal carrier. Dependent Claims 5 and 6 have been added to more specifically claim the float and preload feature of the invention set forth in Claim 4. Revised Figures 1 through 7 are attached to this Amendment.

The Examiner has objected to the drawings filed on 29 March 2002. In particular, the Examiner has objected to the drawings under 35 USC § 132 for alleged introduction of new matter. The Examiner has also objected to Figure 1 for not being labelled Prior Art. The Examiner has rejected Claim 1 under 35 USC § 102(b) for alleged anticipation by Katsube and Kato.

Revised Figures 1 through 7 are attached. Figure 1 has been reformatted and labelled "Prior Art". Figures 2 through 7 have been reformatted as well. The Applicants respectfully traverse the objection to the drawings under 35 USC § 132 for alleged introduction of new matter. The drawings submitted on 29 March 2003 and the revised drawings attached to this Amendment, although updated to illustrate the most current and preferred embodiment of the invention, show exactly the same elements as in the original Figures 1 through 7 filed with the Application, and no more. Furthermore, the specification as filed describes only the original elements shown in both the original Figures 1 through 7, also shown in the drawings submitted 29 March 2003 and in the revised drawings attached to this Amendment. There are no additional elements shown or described in the revised drawings beyond those shown or described in the

specification and drawings submitted with the Application. Therefore, the Applicants respectfully request that the objection to the drawings under 35 USC § 132 be reconsidered and withdrawn.

The Examiner has rejected Claim 1 under 35 USC § 102(b) for alleged anticipation by Katsube. Katsube is directed to an indexing device for machine tools that includes a continuously variable adjustment for the axial alignment of a cam follower on an output shaft with a cam on an input shaft. Katsube has a single independent claim, Claim 1, that claims an “intermittently moving device” that has “an input shaft to which a cam is attached, an output shaft which crosses orthogonal with said input shaft and is provided with a cam follower to be engaged with said cam” and a pair of bearings mounted on both sides of the output shaft that have adjustment wheels with threaded engagement in threaded bores provided in the device housing. Simultaneous adjustment of the adjustment wheels provide axial alignment of the cam follower with the cam in the device.

In contrast, the invention of this Application is directed, as set forth in amended Claim 1, to “a gear drive” that has a “continuously variable bearing and preload adjustment system with an integral seal carrier for a bearing assembly on a drive shaft that protrudes from the gear drive that comprises”, amongst other things, “a threaded housing bore in a housing for the gear drive” and “a threaded adjustment with ring threads that mate the threads in the housing bore and a thrust surface that constrains a bearing assembly for a drive shaft that protrudes from the housing in fixed axial alignment through the adjustment ring to provide adjustable float and preload of the bearing assembly”.

Unlike Katsube, the claimed invention is “a gear drive”, not an intermittently moving index device, and the gear drive has a “drive shaft that protrudes from the housing in fixed axial alignment. The heart of the device described in Katsube is an adjustment that provides axial alignment of the output shaft. The invention in the this Application is directed to an output shaft in fixed alignment with the housing of the gear drive. The

adjustment feature of the claimed invention is directed to bearing float and preload adjustment, not axial alignment of the output shaft.

Likewise, new independent Claim 4 is directed to a bearing assembly float and preload adjustment system with an integral seal carrier for a gear drive that has the same limitations as Claim 1, and is distinguishable from Katsube for the same reasons as described above for amended Claim 1. New Claims 2 and 3 depend from Claim 1 and new Claims 5 and 6 depend from Claim 4, and therefore are also distinguishable from Katsube for the same reasons as described above for amended Claim 1, as well as for their own additional limitations that distinguish the prior art from them. Therefore, the Applicants respectfully request that the rejection of Claim 1 under 35 USC § 102(b) for alleged anticipation by Katsube, as well as any prospective rejection of new Claims 2 through 6 on the same grounds, be reconsidered and withdrawn.

Kato is similarly directed to an intermittent indexing apparatus that includes a twin variable bearing adjustment system on its output shaft for the limited purpose of providing axial positioning of the output shaft to align cam followers on the output shaft with an indexing cam on an input shaft. The claims are limited to an intermittent indexing apparatus and a pair of adjustable bearings to accomplish axial positioning of the axial output shaft. Therefore, Claims 1 through 6 for this Application are distinguishable from Kato for the same reasons as described above with respect to Katsube. Accordingly, the Applicants respectfully request that the rejection of Claim 1 under 35 USC § 102(b) for alleged anticipation by Kato, as well as any prospective rejection of new Claims 2 through 6 on the same grounds, be reconsidered and withdrawn.

In view of the amendments to the claims set forth above, the Applicants respectfully request that the outstanding rejection of Claims 1, as well as any prospective rejection of new Claims 2 through 6 on the same grounds, and the objection to the drawings be reconsidered and withdrawn, that Claims 1 through 6 be found in condition for allowance, and that this Application be allowed to issue.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Stephen G. Mican".

Stephen G. Mican

Attorney for the Applicants

Reg. No. 31,983